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RESPONSE AFTER FINAL EXPEDITED PROCEDURE ART UNIT 1632

PATENT

Attorney Docket No.: JHU1470-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Lee and McPherron

Art Unit:

1632

Application No.:

09/841,730

Examiner:

J.T. Woitach

Filed:

April 24, 2001

Confirmation No.:

6537

Title:

TRANSGENIC NON-HUMAN ANIMALS EXPRESSING A

TRUNCATED ACTIVIN TYPE II RECEPTOR (Amended)

MAIL STOP AF Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for the above-identified application please find:

- 1. Response to the Final Office Action mailed January 13, 2004 (16 pgs.);
- 2. Exhibit A (64 pgs.);
- 3. Exhibit B (6 pgs.);
- 4. Exhibit C (4 pgs.);
- 5. Exhibit D (11 pgs.);
- 6. Petition for Extension of Time (One (1) Month) (2 pgs.);
- 7. Check No. 559176 in the amount of \$55.00; and
- 8. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, May 13, 2004, in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregory P. Austin

(Name of Person Mailing Paper)

There P. aust

May 13, 2004

(Date)

In re Application of:

Lee and McPherron

Application No.: 09/841,730

Filed: April 24, 2001

Page 2

Applicants claim SMALL ENTITY status in the above-identified application. Pursuant

to 37 C.F.R. § 1.27, a verified statement claiming small entity status in not required.

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The Fee for this Response is calculated as follows:

| For | Claims Remaining After Amendment | • | Extra Claims | Small Entity Rate | Large Entity Rate | Calculations |
|-------------------------------------|-------------------------------------|----|-----------------|----------------------|----------------------|--------------|
| Total Claims | 13 | 42 | 0 | x \$09 | x \$18 | \$0 |
| - Independent Claims | 5 | 11 | 0 | x \$43 | x \$86 | \$0 |
| Multiple Dependent Claim(s) | N/A | | | \$145 | \$290 | \$0 |
| Petition for Ext. of Time (1 Month) | | | | \$55 | \$110 | \$55 |
| | | | | | TOTAL FEE | \$55 |

Enclosed is Check No. 559176 in the amount of \$55.00 in payment of the One (1) Month extension of time fee. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment, to Deposit Account No. 50-1355. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Date: May 13, 2004

Registration No. 37,643 Telephone: (858) 677-1496

Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, CA 92121-2133

USPTO CUSTOMER NO. 28213



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MAIL STOP AF Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO THE FINAL OFFICE ACTION

Sir:

Responsive to the Office Action mailed January 13, 2004, which the Examiner has made final, reconsideration of the application in view of the following remarks is respectfully requested.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, May 13, 2004, in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregory P. Austin

(Name of Person Mailing Paper)

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